

## State Water Resources Control Board

December 18, 2015

Ultramar, Inc.  
Attention: Mr. Richard Levin  
5590-B Havana Street  
Denver, CO 80239  
[Via email] ([roger.levin@valero.com](mailto:roger.levin@valero.com))

Mr. and Mrs. Fuk Kwan Sit  
20775 Scofield Drive  
Cupertino, CA 95014

Dear Mr. Levin and Mr. & Mrs. Sit:

CLOSURE DENIAL REVIEW FOR PETROLEUM UNDERGROUND STORAGE TANK CASE,  
BEACON #543, 848 EAST EVELYN AVENUE, SUNNYVALE, SANTA CLARA COUNTY

State Water Resources Control Board (State Water Board) Resolution No. 2012-0062 requires that State Water Board staff review a lead agency's decision when the lead agency has denied a request by a responsible party for an underground storage tank (UST) case closure pursuant to the Low-Threat UST Case Closure Policy (Policy).

The subject case has the following identification numbers:

- State Water Board, GeoTracker No. T0608500228
- San Francisco Bay Regional Water Quality Control Board (San Francisco Bay Water Board), Case No. 02-011
- County of Santa Clara Department of Environmental Health (Santa Clara County), Case No. 06S1W31C01f

State Water Board staff reviewed the closure request dated November 13, 2015 and the response from the Santa Clara County. After careful consideration of the GeoTracker record, State Water Board staff agrees with the Santa Clara County staff determination that all of the Policy criteria have not been met. Based on information in the above-referenced GeoTracker record, State Water Board staff finds that the subject case does not meet the following Policy criteria:

- **General Criterion f.** – Secondary source has been removed to the extent practicable.
- **Groundwater Media-Specific Criteria**

Benzene was detected in groundwater monitoring well PMW-3R at a concentration of 6,490 micrograms per liter in September 2015. This represents an increase over concentrations measured prior to active remediation by chemical injection performed in June 2015. The contaminant plume is not stable or decreasing over time. Significant secondary source remains in the subsurface and groundwater media specific criteria are not met at the Site.

Contaminants remaining at the subject site continue to pose a potential threat to human health, safety, and the environment. Criteria for low-threat UST case closure have not been met at this time, therefore closure of the UST case is not appropriate.

If you have any questions, please contact George Lockwood at (916) 341-5752 or [George.Lockwood@waterboards.ca.gov](mailto:George.Lockwood@waterboards.ca.gov).

Sincerely,



Victoria A. Whitney, Deputy Director  
Division of Water Quality

cc: [Via email only]

Mr. Bruce H. Wolfe, Executive Officer  
San Francisco Bay Water Board  
([Bruce.Wolfe@waterboards.ca.gov](mailto:Bruce.Wolfe@waterboards.ca.gov))

Ms. Dyan Whyte  
San Francisco Bay Water Board  
([Dyan.Whyte@waterboards.ca.gov](mailto:Dyan.Whyte@waterboards.ca.gov))

Mr. Stephen Hill  
San Francisco Bay Water Board  
([Stephen.Hill@waterboards.ca.gov](mailto:Stephen.Hill@waterboards.ca.gov))

Ms. Yuri Won  
State Water Board  
([Yuri.Won@waterboards.ca.gov](mailto:Yuri.Won@waterboards.ca.gov))

Ms. Tamarin Austin  
State Water Board  
([Tamarin.Austin@waterboards.ca.gov](mailto:Tamarin.Austin@waterboards.ca.gov))

Ms. Therese Barakatt  
State Water Board  
([Therese.Barakatt@waterboards.ca.gov](mailto:Therese.Barakatt@waterboards.ca.gov))

cc: Continued next page

cc: (Continued)

Mr. George Lockwood  
State Water Board  
([George.Lockwood@waterboards.ca.gov](mailto:George.Lockwood@waterboards.ca.gov))

Mr. Jim Blamey, Director  
Santa Clara County  
([Jim.Blamey@deh.sccgov.org](mailto:Jim.Blamey@deh.sccgov.org))

Ms. Lani Lee  
Santa Clara County  
([Lani.Lee@deh.sccgov.org](mailto:Lani.Lee@deh.sccgov.org))

Ms. Jennifer Kaahaaina  
Santa Clara County  
([Jennifer.Kaahaaina@deh.sccgov.org](mailto:Jennifer.Kaahaaina@deh.sccgov.org))

Mr. Aaron Costa  
Santa Clara County  
([Aaron.Costa@deh.sccgov.org](mailto:Aaron.Costa@deh.sccgov.org))

Ms. Debra J. Moser  
Trinity Source Group, Inc.  
([djm@tsqcorp.net](mailto:djm@tsqcorp.net))